

Application No. 09/964,215
Amendment dated October 21, 2003
Reply to Office Action of October 6, 2003

Att'y Dkt No. 7610-0001.25

REMARKS

Claims 1-21 are pending in the Office Action under reply, the first Action on the merits in this case. Claims 14-21 have been withdrawn from further consideration as being drawn to a nonelected invention. Claims 1-13 are currently under examination, and stand rejected for obviousness-type double patenting as will be discussed below.

AMENDMENTS:

Non-elected claims 14-21 have been canceled without prejudice. No other claim amendments have been made.

The amendment to the title reflects the focus of the claims that will issue, i.e., on a method for preparing molecular arrays on porous surfaces.

The amendments to the specification update the status of the parent applications on page 1, correct a typographical error on page 32, and correct the name of the assignee and update the location of the assignee (in the remaining amendments to the specification).

No substantive changes have been made by way of these amendments, and no new matter has been added.

THE DOUBLE PATENTING REJECTIONS:

The examined claims, i.e., claims 1-13, have been rejected as follows:

(1) under the judicially created doctrine of obviousness-type double patenting over claims 1-9, 13, and 27-33 of U.S. Patent No. 6,612,686 (claims 1-13);

(2) for obviousness-type double patenting over claims 45, 46 and 50-52 of U.S. Patent No. 6,548,308 (claims 1-9);

(3) (provisionally) for obviousness-type double patenting over claims 40, 41, 44-47, 49, 54, 55, and 57-60 of co-pending Application Serial No. 09/964,212 (Patent Application Publication US 2002/0037579) (claims 1-13);

(4) (provisionally) for obviousness-type double patenting over claims 1, 2, 7, 13, and 33-37 of co-pending Application Serial No. 09/963,173 (Patent Application Publication US 2002/0037359) (claims 1-5 and 9-13); and

(5) (provisionally) for obviousness-type double patenting over claims 32-37 of co-pending Application Serial No. 09/962,731 (Patent Application Publication US 2002/0042077) (claims 1-7).

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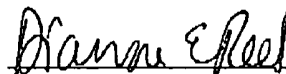
While not wishing to acquiesce in the rejections, but for the sole purpose of expediting prosecution, applicants are submitting five Terminal Disclaimers herewith, with each Disclaimer addressing one of the individual patents or applications cited by the Examiner. Withdrawal of the rejections is thus in order and is respectfully requested.

CONCLUSION

The only outstanding matters having been addressed, applicants submit that the application should now be in condition for allowance, and request a prompt notification to that effect. Should the Examiner have any questions concerning this communication, she is welcome to telephone the undersigned at (650) 330-0900.

Respectfully submitted,

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